

Senate File 2315

S-5061

1 Amend Senate File 2315 as follows:

2 1. Page 2, line 5, by striking <inpatient hospital  
3 services> and inserting <acute inpatient ~~hospital~~  
4 services and services provided in large institutional  
5 settings>

6 2. Page 4, line 15, by striking <county,> and  
7 inserting <county and region,>

8 3. Page 5, by striking lines 26 through 35 and  
9 inserting:

10 <Sec. \_\_\_\_ . Section 226.10, Code 2011, is amended to  
11 read as follows:

12 **226.10 Equal treatment.**

13 The ~~several~~ patients of the state mental health  
14 institutes, according to their different conditions  
15 of mind and body, and their respective needs, shall  
16 be provided for and treated with equal care. If in  
17 addition to mental illness a patient has a co-occurring  
18 intellectual disability, brain injury, or substance  
19 abuse disorder or other special need, the care provided  
20 shall also address the co-occurring needs.>

21 4. Page 6, by striking lines 8 through 10 and  
22 inserting <by the state commission. The information  
23 reported shall conform with the cost principles for  
24 state, local, and Indian tribal governments issued by  
25 the United States office of management and budget.  
26 The information shall also segregate expenditures for  
27 administration, purchase of service, and enterprise  
28 costs in which the county is a service provider or  
29 is directly billing and collecting payments and shall  
30 be submitted on forms prescribed by the department  
31 of management. If the department of human services  
32 determines good>

33 5. Page 7, by striking line 11 and inserting  
34 <subject to the approval of the>

35 6. Page 7, line 35, by striking <intellectual  
36 disability> and inserting <intellectual or other  
37 developmental disability>

38 7. Page 8, line 3, by striking <brain injury>  
39 and inserting <a developmental disability other than  
40 intellectual disability, brain injury,>

41 8. Page 8, line 14, by striking <clinical> and  
42 inserting <functional>

43 9. Page 11, by striking lines 20 through 22.

44 10. Page 12, line 31, after <human services> by  
45 inserting <in consultation with the state commission>

46 11. Page 13, by striking lines 11 through 13 and  
47 inserting:

48 <c. The person has a diagnosis of intellectual  
49 disability.>

50 12. Page 14, line 13, after <facility> by inserting

1 <or to the individual's home>

2 13. Page 14, by striking lines 16 through 27 and  
3 inserting:

4 <2. a. (1) A region shall work with service  
5 providers to ensure that services are available to  
6 residents of the region, regardless of potential  
7 payment source for the services.

8 (2) The director of human services shall ensure  
9 that funding through the medical assistance program  
10 under chapter 249A is available to pay for the services  
11 within the core service domains listed in subsection  
12 4 to the greatest extent allowable under federal  
13 regulation and shall ensure that eligible individuals  
14 are enrolled in the medical assistance program as  
15 efficiently as possible. Within funds available,  
16 the region shall pay for such services for eligible  
17 individuals when payment through the medical assistance  
18 program or another third-party payment source is not  
19 available, unless the individual is on a waiting list  
20 for such payment or unless the medical assistance  
21 program or its contractors have determined that the  
22 individual does not meet the program's criteria for  
23 such services.

24 (3) Until funding is designated for other service  
25 populations, eligibility for the service domains  
26 listed in this section shall be limited to such persons  
27 who are in need of mental health or intellectual  
28 disability services. However, if a county in a  
29 region was providing services to an individual with  
30 a developmental disability other than intellectual  
31 disability or a brain injury prior to formation of the  
32 region, the individual shall remain eligible for the  
33 services provided when the region is formed, provided  
34 that funds are available to continue such services.>

35 14. Page 16, by striking lines 4 and 5 and  
36 inserting:

37 <5. A region shall ensure that access is available  
38 to providers of core services that demonstrate  
39 competencies necessary for all of the following:>

40 15. Page 16, line 20, after <facility> by inserting  
41 <and community-based>

42 16. Page 16, line 22, by striking <Subacute  
43 services> and inserting <Subacute services provided in  
44 facility and community-based settings>

45 17. Page 17, by striking line 5 and inserting  
46 <recognized as an evidence-based practice, is deemed  
47 to be an emerging and promising practice, or providing  
48 the services is part of a demonstration and will supply  
49 evidence as to the services' effectiveness.>

50 18. Page 18, after line 20 by inserting:

1 <Sec. \_\_\_\_\_. APPLICABILITY. The provisions of  
2 this division of this Act amending chapter 225C are  
3 applicable prior to July 1, 2013, for purposes of  
4 adopting rules to be effective on or after July 1,  
5 2013.

6 Sec. \_\_\_\_\_. EFFECTIVE DATE. The following provisions  
7 of this Act take effect July 1, 2013:

8 1. The sections of this division of this Act  
9 amending chapter 225C.>

10 19. By striking page 18, line 22, through page 22,  
11 line 3, and inserting:

12 <REDESIGN PLANNING, SUPPORT, AND IMPLEMENTATION

13 Sec. \_\_\_\_\_. REDESIGN SUPPORT.

14 1. The department of human services shall work with  
15 the Iowa state association of counties in providing  
16 training, support, and technical assistance to counties  
17 in developing the mental health and disability services  
18 regional services system as provided in this Act and  
19 in evaluating whether any barriers exist that would  
20 prevent or restrict the community services network  
21 developed by the association from being used as the  
22 data system for the service system.

23 2. The department shall identify third-party  
24 coverage sources and develop estimates and financing  
25 options for maximizing the use of the third-party  
26 coverage sources in adding eligibility for core  
27 services under the mental health and disability  
28 services regional service system for adults with a  
29 developmental disability other than intellectual  
30 disability and for adults with brain injury. The  
31 estimates and financing options shall be submitted to  
32 the governor and general assembly on or before December  
33 14, 2012.

34 Sec. \_\_\_\_\_. MENTAL HEALTH AND DISABILITY SERVICES  
35 WORKFORCE DEVELOPMENT WORKGROUP.

36 1. The department of human services shall create  
37 and provide support to a mental health and disability  
38 services workforce development workgroup to address  
39 issues in connection with assuring that an adequate  
40 workforce is available in the state to provide mental  
41 health and disability services. The membership of  
42 the workgroup shall include the other state agencies  
43 involved with the services and other appropriate  
44 stakeholders designated by the director of human  
45 services in consultation with the chairpersons and  
46 ranking members of the committees on human resources  
47 of the senate and house of representatives. In  
48 addition, the membership shall include four members  
49 of the general assembly with one each appointed by  
50 the majority and minority leader of the senate and

1 the speaker and minority leader of the house of  
2 representatives. The workgroup shall report to the  
3 governor and general assembly providing findings and  
4 recommendations and financing information concerning  
5 the findings and recommendations. A preliminary report  
6 shall be submitted on or before December 14, 2012, and  
7 a final report on or before December 16, 2013.

8 2. The workgroup shall coordinate and align its  
9 efforts with the recommendations of the direct care  
10 worker task force created pursuant to 2005 Iowa  
11 Acts, chapter 88, and the direct care worker advisory  
12 council created pursuant to 2008 Iowa Acts, chapter  
13 69, regarding training, level of competency, core  
14 curricula, and certification, including but not limited  
15 to those provisions relating to the use of the college  
16 of direct support and other internet-based training.

17 Sec. \_\_\_\_ . REGIONAL SERVICE SYSTEM — OUTCOMES AND  
18 PERFORMANCE MEASURES COMMITTEE.

19 1. The department of human services shall establish  
20 an outcomes and performance measures committee to make  
21 recommendations for specific outcomes and performance  
22 measures to be utilized by the mental health and  
23 disability services regional service system. The  
24 membership of the committee shall include appropriate  
25 stakeholders designated by the director of human  
26 services in consultation with the chairpersons and  
27 ranking members of the committees on human resources  
28 of the senate and house of representatives. In  
29 addition, the membership shall include four members  
30 of the general assembly with one each appointed by  
31 the majority and minority leader of the senate and  
32 the speaker and minority leader of the house of  
33 representatives.

34 2. The committee's recommendations shall  
35 incorporate the outcome measurement methodologies  
36 previously developed by the mental health and  
37 disability services commission. To the extent  
38 possible, the committee shall seek to provide outcome  
39 and performance measures recommendations that are  
40 consistent across the mental health and disability  
41 services populations addressed. The committee shall  
42 also evaluate data collection requirements utilized  
43 in the mental health and disability regional service  
44 system to identify the requirements that could be  
45 eliminated or revised due to the administrative burden  
46 involved or the low degree of relevance to outcomes or  
47 other reporting requirements.

48 3. The committee recommendations shall be submitted  
49 to the governor, general assembly, and policymaking  
50 bodies. Initial recommendations shall be submitted on

1 or before December 14, 2012, and final recommendations  
2 on or before December 16, 2013. The mental health  
3 and disability services commission and other  
4 policymaking bodies shall consider the recommendations  
5 in eliminating or otherwise revising data collection  
6 requirements.>

7 20. Page 22, line 23, by striking <Expand> and  
8 inserting <Implement>

9 21. Page 22, line 24, after <tools> by inserting  
10 <by the regional service system and the department of  
11 human services>

12 22. Page 23, line 1, after <providers.> by  
13 inserting <The efforts under this paragraph shall be  
14 made with representatives of the Iowa state association  
15 of counties.>

16 23. By striking page 23, line 32, through page 24,  
17 line 15, and inserting:

18 <Sec. \_\_\_\_\_. Section 97B.1A, subsection 8, paragraph  
19 a, Code Supplement 2011, is amended by adding the  
20 following new subparagraph:

21 NEW SUBPARAGRAPH. (13) Employees of a regional  
22 administrator formed in accordance with section  
23 331.438E, determined to be an instrumentality of  
24 the political subdivision forming the regional  
25 administrator.>

26 24. Page 25, line 4, by striking <with the approval  
27 of> and inserting <in consultation with>

28 25. Page 26, line 6, by striking <November 1,  
29 2012,> and inserting <April 1, 2013,>

30 26. Page 26, by striking line 21 and inserting:

31 <c. During the period of April 2, 2013, through  
32 July 1,>

33 27. Page 26, by striking lines 23 and 24 and  
34 inserting <agreed to be part of a region in accordance  
35 with paragraph "a" and with the regions forming around  
36 the county to>

37 28. Page 26, line 26, by striking <January 1,  
38 2013,> and inserting <July 1, 2013,>

39 29. Page 26, line 29, by striking <June 30, 2013,>  
40 and inserting <December 31, 2013,>

41 30. Page 26, line 32, by striking <June 30, 2014,>  
42 and inserting <June 30, 2015,>

43 31. Page 28, by striking lines 10 through 20 and  
44 inserting <comprising the regions or their designees.>

45 32. Page 29, by striking lines 26 through 34 and  
46 inserting:

47 <2. The accounting system and financial reporting  
48 to the department shall conform with the cost  
49 principles for state, local, and Indian tribal  
50 governments issued by the United States office of

1 management and budget. The information shall segregate  
2 expenditures for administration, purchase of service,  
3 and enterprise costs for which the region is a service  
4 provider or is directly billing and collecting payments  
5 and shall be identified along with other financial  
6 information in a uniform chart of accounts prescribed  
7 by the department of management. Following periodic  
8 review of administrative costs, the department  
9 shall make recommendations, in consultation with the  
10 legislative services agency, for standards defining  
11 region administrative costs and the methodology for  
12 calculating a region's administrative load. Such  
13 standards shall be specified in rule adopted by the  
14 state commission.>

15 33. Page 30, line 19, after <board.> by inserting  
16 <The voting procedures may provide for a weighted vote  
17 on decisions identified by the governing board. A  
18 weighted vote may provide for assignment of a number  
19 of votes to each of the counties comprising the region  
20 equal to its population within the region, may require  
21 at least three-fourths of the total votes cast for  
22 approval of a decision, or may provide for another  
23 weighted vote option determined by the governing  
24 board.>

25 34. Page 30, line 20, before <executive> by  
26 inserting <process for selecting the>

27 35. Page 31, line 6, by striking <specific> and  
28 inserting <general>

29 36. Page 31, line 35, after <2011,> by inserting  
30 <to another public employer>

31 37. Page 32, line 31, by striking <administrator,>  
32 and inserting <administrator that cannot be resolved  
33 informally,>

34 38. Page 38, by striking lines 4 through 6.

35 39. Page 44, by striking lines 17 through 21 and  
36 inserting <The diagnoses of clinically evident damage  
37 to the brain used for a diagnosis of brain injury  
38 shall be the same as specified by rule for eligibility  
39 for the home and community-based services waiver for  
40 persons with brain injury under the medical assistance  
41 program.>

42 40. Page 47, by striking lines 2 through 6  
43 and inserting <~~considered as outpatients of the  
44 institution. No~~ An order of commitment shall not be  
45 issued unless the superintendent of the institution  
46 recommends that the order be issued, and advises the  
47 court that adequate facilities for the care of the  
48 person are available.>

49 41. By renumbering as necessary.

JACK HATCH

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